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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,429	01/20/2004	Connie Hsu	2450-0625P	1146

2292 7590 07/27/2007  
BIRCH STEWART KOLASCH & BIRCH  
PO BOX 747  
FALLS CHURCH, VA 22040-0747

EXAMINER
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GHALI, ISIS A D

ART UNIT	PAPER NUMBER
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1615

NOTIFICATION DATE	DELIVERY MODE
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07/27/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/759,429	HSU, CONNIE	
	<b>Examiner</b>	<b>Art Unit</b>	
	Isis A. Ghali	1615	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to:
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>1/20/2004</u> .   | 6) <input type="checkbox"/> Other: ____.                          |

### DETAILED ACTION

The receipt is acknowledged of applicant's IDS filed 01/20/2004.

Claims 1-6 are pending and included in the prosecution.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4-6 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 11197078 ('078).

JP '078 disclosed sponge and container containing detergent that is placed outside the sponge to deliver the detergent through a nozzle to ooze through the sponge, i.e. it will coat the sponge (abstract). Therefore the detergent will inherently form a coat or film on the surface of the sponge. Sponge is inherently either natural or synthetic.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-228999 ('999).

JP '999 disclosed loofah containing soap poured on the surface of the loofah that inherently forms film on the surface of loofah (abstract, paragraph 0015). Loofah is fibrous structure, mesh, or sponge (paragraphs 0012-0015). Figures show the detergent is applied through a nozzle. Loofah is natural material. Spraying the surfactant is a limitation directed to the method of making the article, and method of making does not impart patentability to claims directed to product and patentability is determined by the produced product.

4. Claims 1, 3, 5, and 6 rejected under 35 U.S.C. 102(b) as being anticipated by JP2002-105855 ('855).

JP '855 disclosed disposable article of nonwoven fabric having surfactant sprayed on one or both surfaces of the nonwoven fabric (abstract). Nonwoven fabric is inherently porous fibrous material. Using nozzle for spraying the surfactant is a limitation directed to the method of making the article, and method of making does not impart patentability to claims directed to product and patentability is determined by the product produced. Sponge is inherently either natural or synthetic.

5. Claims 1, 3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US 3,283,357 ('357).

US '357 disclosed cleansing article made of sponge or fibrous material coated with detergent by spray coating (col.1 line 62 till col.2, col.2, lines 45-60; line 35; col.6, lines 36-43; figure 2). Coating will inherently form a film on the surface of sponge. Using

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nozzle for spraying the surfactant is a limitation directed to the method of making the article, and method of making does not impart patentability to claims directed to product and patentability is determined by the produced product. Sponge is inherently either natural or synthetic.

6. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US 6,217,889 ('889).

US '889 disclosed cleansing pad made of natural or synthetic sponge, mesh or synthetic fibers, the pad is coated with cleansing composition comprising surfactant applied by spray coating (col.2, lines 30-40; col.4, lines 10-31; col.6, lines 45-52; col.41, lines 22-30). Coating will inherently form a film on the surface of sponge. Using nozzle for spraying the surfactant is a limitation directed to the method of making the article, and method of making does not impart patentability to claims directed to product and patentability is determined by the produced product.

7. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by 6,495,151 ('151).

US '151 disclosed cleansing pad made of natural or synthetic sponge, mesh or synthetic fibers, the pad is coated with cleansing composition comprising surfactant applied by spray coating (col.2, lines 44-62; col.5, lines 6-19, 36-65; col.31, lines 5-17). Coating will inherently form a film on the surface of sponge. Using nozzle for spraying the surfactant is a limitation directed to the method of making the article, and

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method of making does not impart patentability to claims directed to product and patentability is determined by the produced product.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. JP 58-004712 disclosed a toilet water for hygienic purpose that is applied on cloth or paper by spraying.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isis A. Ghali whose telephone number is (571) 272-0595. The examiner can normally be reached on Monday-Thursday, 7:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on (571) 272-8373. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isis A Ghali  
Primary Examiner  
Art Unit 1615

IG

*Isis Ghali*

ISIS GHALI  
PRIMARY EXAMINER